



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/500,712

08/16/2004

Juha-Pekka Koskinen

59643.00491

7200

32294

7590

12/23/2008

SQUIRE, SANDERS & DEMPSEY L.L.P.

8000 TOWERS CRESCENT DRIVE

14TH FLOOR

VIENNA, VA 22182-6212

EXAMINER

NGUYEN, TUAN HOANG

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

12/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/500,712	Applicant(s) KOSKINEN ET AL.	
	Examiner TUAN H. NGUYEN	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 26-52 is/are pending in the application.
- 4a) Of the above claim(s) 13-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 26-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 09/17/2008 with respect to claims 1-12 and 26-52 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 26, 27, and 43-44 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 26 and 44, the limitations “**a first receiver** configured to receive a request for ascertaining whether...; **a second receiver** configured to receive a request to establish...; **a third receiver** configured to receive charging update data...” are not described in the specification. Claim 27, the limitation “**a transmitter** configured to send charging update data...” is not described in the specification. Claim 43, the limitation “A computer program embodied on a computer-readable medium...” is not described in the specification.

Art Unit: 2618

4. Claims 13-25 cancelled.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 5, 10-12, 26-28, 30, 35-37, 42-47, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lippelt (US PUB. 2005/0136890) in view of Campbell (U.S PAT. 6,453,029).

Consider claims 1, 26, 27, and 43-47, Lippelt teaches receiving a request for ascertaining whether any costs generated by at least accounting clients in the network, which are associated with a request for establishing a call between a first terminal and a second terminal, are to be charged against prepaid credit (page 1 [0007] and page 2 [0015]); in the event some or all of the costs are to be charged against prepaid credit, receiving a request for establishing an accounting session between the accounting server and the at least one accounting client that will generate the costs to be charged against the prepaid credit (see fig. 3 page 2 [0020] and page 5 [0050]).

Lippelt does not explicitly show that the establishing the accounting session and allocating an accounting session identifier to the accounting session; receiving charging update data at the accounting server from the at least one accounting client during the

Art Unit: 2618

call established between the first and second terminals; and collating the charging update data in the accounting server based on the accounting session identifier, thereby enabling updating of the prepaid credit during the call, wherein the charging update data includes the accounting session identifier and tariff update data.

In the same field of endeavor, Campbell teaches the establishing the accounting session and allocating an accounting session identifier to the accounting session (col. 6 lines 33-47); receiving charging update data at the accounting server from the at least one accounting client during the call established between the first and second terminals (col. 4 line 58 through col. 5 line 21); and collating the charging update data in the accounting server based on the accounting session identifier, thereby enabling updating of the prepaid credit during the call, wherein the charging update data includes the accounting session identifier and tariff update data (col. 4 line 58 through col. 5 line 21).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use, the establishing the accounting session and allocating an accounting session identifier to the accounting session; receiving charging update data at the accounting server from the at least one accounting client during the call established between the first and second terminals; and collating the charging update data in the accounting server based on the accounting session identifier, thereby enabling updating of the prepaid credit during the call, wherein the charging update data includes the accounting session identifier and tariff update data, as taught by Campbell, in order to provide database servers and call processors are distributed to a number of remote locations. Instead of routing all of the users through a central system, in the

Art Unit: 2618

present invention the prepaid callers are serviced by local call processors that are coupled to the remote servers. The use of local call processors at the remote locations reduces the call volume that is handled by each call processor and server. As a result, the demand levels on each call processor and server are reduced. Thus, the present system works faster and more efficiently.

Consider claims 2 and 28, Campbell further teaches there are a plurality of accounting clients that generate costs in relation to the call, the method further comprising: establishing accounting sessions between each respective accounting client and the accounting server, each of the accounting sessions being allocated a common accounting session identifier associated with the call to be established (col. 6 lines 33-47); receiving charging update data from each of the accounting clients to the accounting server during the call, the charging update data including the accounting session identifier (col. 4 line 58 through col. 5 line 21); and collating the charging update data from each of the accounting clients based on the accounting session identifier, thereby enabling updating of the prepaid credit during the call (col. 4 line 58 through col. 5 line 21).

Consider claims 3 and 36, Lippelt further teaches the accounting server is located in the home network of the first terminal (page 1 [0012]).

Art Unit: 2618

Consider claims 5, 30, 37, and 50, Lippelt further teaches the accounting session identifier is allocated upon receipt in the network of the request for establishment of a call from the first terminal (page 6 [0058]).

Consider claims 10, 35, and 42, Lippelt further teaches in response to receiving a request for ascertaining whether costs are to be charged against prepaid credit the method further comprises looking up subscriber profile data upon receipt of the request for establishment of the call (page 3 [0028]).

Consider claim 11, Lippelt further teaches the network is an internet protocol network (page 5 [0056]).

Consider claim 12, Lippelt further teaches the network is a universal mobile telecommunications system network (page 5 [0048]).

Consider claim 48, Lippelt further teaches in response to receiving the request for ascertaining, transmitting a response including an indication that costs generated by accounting clients in a network associated with a request for establishing a call between a first and second terminal are to be charged against prepaid credit (page 1 [0007] and page 2 [0015]).

Consider claim 49, Lippelt further teaches the apparatus comprises a transmitter configured to transmit a response including an indication that costs generated by

Art Unit: 2618

accounting clients in a network associated with a request for establishing a call between a first and second terminal are to be charged against prepaid credit in response to the request for ascertaining (page 1 [0007]).

7. Claims 4 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lippelt in view of Campbell, and further in view of Cobo et al. (U.S PAT. 6,496,690 hereinafter, "Cobo").

Consider claims 4 and 29, Lippelt and Campbell, in combination, fail to teach each accounting client takes the form of one of the following network entities: service general packet radio service support node/ gateway general packet radio service support node; service call service control function/ proxy call service control function; and a network application server.

However, Cobo teaches each accounting client takes the form of one of the following network entities: service general packet radio service support node/ gateway general packet radio service support node; service call service control function/ proxy call service control function; and a network application server (col. 4 line 65 through col. 5 line 12).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Cobo into view of Lippelt and Campbell, in order to provide a prepaid subscriber service to a mobile subscriber in an integrated wireless telecommunications network having a circuit-switched portion and a General Packet Radio Service (GPRS) packet-switched portion.

Art Unit: 2618

8. Claims 6-9, 31-34, 38-41, and 51-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lippelt in view of Campbell and Hamrick, and further in view of Chaney (U.S PAT. 6,947,724).

Consider claims 6, 31, and 38, Lippelt and Campbell, in combination fail to teach the request for establishment of a call is made via a session initiation protocol message sent from the first terminal.

However, Chaney teaches the request for establishment of a call is made via a session initiation protocol message sent from the first terminal (col. 1 lines 16-39).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Chaney into view of Lippelt and Campbell, in order to provide billing a call placed by a user based on a reported traffic load in the network.

Consider claims 7, 32, 39, and 52, Chaney further teaches the charging update data is sent from the accounting clients to the accounting server via a diameter protocol message (col. 8 lines 1-6).

Consider claims 8, 33, and 40, Chaney further teaches the charging update data is received from each accounting client to the accounting server in response to a diameter protocol update request issued by the accounting server (see fig. 5 col. 8 lines 7-14).

Consider claims 9, 34, 41, and 51, Chaney further teaches the accounting server issues the update requests to each accounting client periodically (col. 8 lines 43-53).

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any response to this action should be mailed to:

Mail Stop_____ (Explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

(571) 273-8300

Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22313

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan H. Nguyen whose telephone number is (571) 272-8329. The examiner can normally be reached on 8:00Am - 5:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Maung Nay A. can be reached on (571) 272- 7882. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Tuan H. Nguyen/
Examiner
Art Unit 2618

/Nay A. Maung/
Supervisory Patent Examiner, Art
Unit 2618